

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DEMETRIUS PROCTOR,

Plaintiff,

-against-

TRAVIS MCCOY, ET AL.,

Defendants.
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1:15-cv-03766 (ALC)

ORDER

ANDREW L. CARTER, JR., United States District Judge:


On October 21, 2019, the Court set a briefing schedule for Defendants' motion to dismiss. ECF No. 48. Subsequently, on December 12, 2019, Plaintiff, who is proceeding *pro se*, asked for a time extension, which the Court granted; under the new briefing schedule, Plaintiff's opposition to Defendants' motion to dismiss was due on January 20, 2020. ECF No. 55. On March 2, 2020, after not receiving an opposition from Plaintiff, the Court issued an Order to Show Cause as to why Defendants' motion to dismiss should not be treated as unopposed. ECF 56. However, Plaintiff had written the Court a letter dated February 3, 2020, which was not published on ECF until March 4, 2020. ECF No. 57.

Pursuant to Second Circuit precedent, *pro se* submissions are to be liberally construed. See *O'Neal v. Spota*, 744 F. App'x 35, 36 (2d Cir. 2018) (quoting *McLeod v. Jewish Guild for the Blind*, 864 F.3d 154, 156 (2d Cir. 2017)) ("[W]e liberally construe pleadings and briefs submitted by pro se litigants, reading such submissions to raise the strongest arguments they suggest."). Accordingly, the Court interprets Plaintiff's letter as a request for a time extension to respond to Defendants' motion to dismiss. Defendants are hereby **ORDERED** to respond to Plaintiff's letter on or before **March 11, 2020**.

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SO ORDERED.

Dated: March 9, 2020
New York, New York



ANDREW L. CARTER, JR.
United States District Judge